

No. Legal/Appt. of Advocates/30206
Maharashtra State Elec. Distribution
Co. Ltd.,
Hongkong Bank, Fort,
Mumbai 400 001.

Date: 29.7.2008

CIRCULAR

Sub: Appointment of Advocates/Counsels & Senior Counsels.

In order to curtail the expenses and to adopt economic measures in legal matters, The Hon'ble Managing Director by Office Note dt. 23rd June, 2008 has constituted a Committee comprising of Director (Finance), Director (Operation) and Chief Legal Adviser. He has also directed to take following measures -

1. That the Committee shall issue written approval for appointment of Counsels & Senior Counsels in the matter. The HOD should obtain such written approval from the Committee.
2. When there are number of cases, wherein same or similar issues of facts or law are involved, such matters should be clubbed together and one Senior Counsel should be appointed to argue one case and other matters clubbed with the same should be argued by our regular Counsels/Advocates.
3. In on going clubbed cases the Chief Legal Adviser should take review of the cases in order to ensure that Senior Counsel is engaged in only one of such cases and other cases are conducted by the Regular Counsels or Advocates.
4. In the matters to be conducted before the Bombay High Court, MERC or any other State Forum, Solicitors should be instructed to engage local Counsel only, so that the expenditure on travel and stay can be avoided.
5. The practice of directly allotting the cases to Solicitors/ Counsels and Advocates by HOD should be avoided. The HOD should refer the matter to the Legal Adviser of the Zone in the cases appearing

- before the Courts and Forum within their local areas. The Legal Adviser shall allot the case to the Advocate or Counsels.
6. The HOD should refer the matter to the Chief Legal Adviser for allotment of cases to be conducted before the Bombay Bench of the High Court or other State level Forum at Bombay.
 7. The multiple conferences with Advocates, Counsels or Senior Counsels should be avoided. HODs and other officers should first get themselves apprise of the facts and circumstances of each case and there should be one common conference for discussion of the said case with Advocate or Senior Counsel.
 8. In case of an urgency and when it is not possible to refer the cases to the Chief Legal Adviser, Legal Adviser or Committee as the case may be, approval can be sought by telephonic communication, fax or e-mail. Specific note regarding such approval be prepared and approval in writing should be obtained within reasonable time.
 9. The Finance Department while passing the bills should ensure that each bill of Senior Counsel is accompanied by written approval of the Committee.
 10. If deviation, from any of the above said directions in exceptional cases is necessary, the decision shall be taken by the Committee. However, if more than 1 Senior Counsel is required to be engaged even in the clubbed matter, the approval from the Managing Director will be necessary.


Chief Legal Adviser

To all as per Mailing List up to the
Level of E.E. MSEDCL, H.O. & Field offices,
MSEDCL.